



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4000

**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
MIDDLE MILE INFRASTRUCTURE, LLC
FOR
IN-LINE AMPLIFIERS ALONG THE MMI ATLANTIC COAST LONG
HAUL FIBER OPTIC INSTALLATION PROJECT
VPDES Permit Registration No. VAR10P489 (Madison)
VPDES Permit Registration No. VAR10P491 (Giles and Floyd)
VPDES Permit Registration No. VAR10P494 (Nelson and Campbell)
VPDES Permit Registration No. VAR10P495 (Franklin)
VPDES Permit Registration No. VAR10P496 (Fauquier)
Unpermitted (Carroll)**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, between the State Water Control Board (Board) and Middle Mile Infrastructure, LLC regarding in-line amplifier (ILAs) sites along the MMI Atlantic Coast Long Haul Fiber Optic Installation Project for the purpose of resolving certain violations identified by the Board of the State Water Control Law and the applicable regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "305(b) report" means the report required by Section 305(b) of the Clean Water Act (33 United States Code § 1315(b)), and Va. Code § 62.1-44.19:5 for providing Congress and

the public an accurate and comprehensive assessment of the quality of State surface waters.

2. "2019 Permit" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, No. VAR10, promulgated at 9 VAC 25-880-70, which was issued under the State Water Control Law, the VSMP Regulations, and the General Permit Regulation on July 1, 2019 and which expires on June 30, 2024.
3. "Board" means the State Water Control Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
4. "Campbell ILA" means the in-line amplifier site located at 125 Old Courthouse Turnpike, Lynchburg, VA 24501 (coordinates 37.3254°, -79.21393°), from which discharges of stormwater associated with construction activity occur.
5. "Carroll ILA" means the in-line amplifier site located at 13972 Fancy Gap Hwy, Carroll County, VA 24501 (coordinates 36.587328°, -80.669226°), from which discharges of stormwater associated with construction activity occur.
6. "CO" means the Central Office of DEQ, located in Richmond, Virginia.
7. "Common plan of development" means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules. 9 VAC 25-870-10.
8. "Construction activity" means any clearing, grading or excavation resulting in land disturbance of equal to or greater than one acre, or disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre.
9. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
10. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
11. "Discharge" means the discharge of a pollutant.
12. "Discharge of a pollutant" means:
 - a. Any addition of any pollutant or combination of pollutants to surface waters from any point source; or
 - b. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other

floating craft which is being used as a means of transportation.

13. "Fauquier ILA" means the in-line amplifier site located at 6398 Lee Highway Access Rd, Warrenton, VA, 20187 (coordinates 38.731833°, -77.775814°), from which discharges of stormwater associated with construction activity occur.
14. "Floyd ILA" means the in-line amplifier site located at 164 Galen Lane NE, Floyd, VA, 24091 (coordinates 36.917467°, -80.322299°), from which discharges of stormwater associated with construction activity occur.
15. "Franklin ILA" means the in-line amplifier site located at 7767 Booker T Washington Hwy, Wirtz, VA 24184 (coordinates 37.110480°, -79.809625°), from which discharges of stormwater associated with construction activity occur.
16. "General Permit Regulation" means the General VPDES Permit for Discharges of Stormwater from Construction Activities, 9 VAC 25-880-1 et seq.
17. "Giles ILA" means the in-line amplifier site located at 138 Grill Road, Pembroke, VA 24136 (coordinates 37.319062°, -80.654342°), from which discharges of stormwater associated with construction activity occur.
18. "Land disturbance" or "land-disturbing activity" means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation, except that the term shall not include those exemptions specified in Va. Code § 62.1-44.15:34.
19. "Madison ILA" means the in-line amplifier site located at 2452 S. Seminole Trail, Madison, VA, 22727 (coordinates 38.351778°, -78.282516°), from which discharges of stormwater associated with construction activity occur.
20. "MMI" means Middle Mile Infrastructure, LLC a limited liability company authorized to do business in Virginia and its affiliates, partners, and subsidiaries. MMI is a "person" within the meaning of Va. Code § 62.1-44.3.
21. "Nelson ILA" means the in-line amplifier site located at 19218 Thomas Nelson Highway, Faber, VA 22938 (coordinates 37.846144°, -78.762545°), from which discharges of stormwater associated with construction activity occur.
22. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
23. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
24. "Registration Statement" means a registration statement for coverage under the 2019 Permit.

25. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 et seq.) of Title 62.1 of the Va. Code.
26. "State Waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
27. "Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage. Va. Code § 62.1-44.15:24.
28. "Stormwater management plan" means a document or series of documents containing material describing methods for complying with the requirements of a VSMP or the VSMP Regulations. 9 VAC 25-870-10.
29. "SWPPP" means Stormwater Pollution Prevention Plan, which is a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges. A SWPPP required under a VSMP for construction activities shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan. 9 VAC 25-870-10.
30. "Virginia Stormwater Management Act" means Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Va. Code.
31. "Va. Code" means the Code of Virginia (1950), as amended.
32. "VAC" means the Virginia Administrative Code.
33. "VPDES" means Virginia Pollutant Discharge Elimination System.
34. "VSMP" means the Virginia Stormwater Management Program, which is a program approved by the Soil and Water Conservation Board after September 13, 2011, and until June 30, 2013, or the State Water Control Board on and after June 30, 2013, that has been established by a VSMP authority to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations. Va. Code § 62.1-44.15:24.
35. "VSMP authority" means an authority approved by the Board after September 13, 2011, to operate a VSMP or, until such approval is given, the Department. An authority may

include a locality; state entity, including the Department; federal entity; or for linear projects subject annual standards and specifications in accordance with subsection B of § 62.1-44.15-31, electric, natural gas, and telephone utility companies, interstate and intrastate natural gas pipeline companies, railroad companies, or authorities created pursuant to § 15.2-5102. Va. Code § 62.1-44.15:24.

36. “VSMP Regulations” means the Virginia Stormwater Management Program (VSMP) Regulations, 9 VAC 25-870-10 et seq.

SECTION C: The Board’s Findings of Fact and Conclusions of Law

1. MMI is a fiber optic infrastructure provider with planned lines requiring installation throughout Virginia. MMI is an owner overseeing sub-contractors who are installing in-line amplifiers (ILAs) at sites in Campbell County, Carroll County, Fauquier County, Floyd County, Franklin County, Giles County, Madison County, and Nelson County as part of a common plan of development for the MMI Atlantic Coast Long Haul Fiber Optic Installation Project (Project). MMI owns the ILA sites in Giles and Floyd Counties and leases the remaining locations. Stormwater associated with construction activity is discharged during construction of the ILAs.
2. MMI submitted annual standards and specifications (AS&S) to DEQ and they were first approved by DEQ on September 28, 2018. On September 5, 2019, MMI submitted AS&S for renewal. On December 10, 2019, DEQ sent comments on the AS&S and MMI submitted revised AS&S for DEQ to review on August 31, 2020. On October 23, 2020, DEQ sent MMI comments on the revised AS&S submission. On March 12, 2021 MMI submitted revised AS&S to DEQ for review.
3. DEQ is the VESCP and VSMP authority for the MMI Atlantic Coast Long Haul Fiber Optic Installation Project and ILA sites.
4. On September 22, 2020 and October 1, 2, 14, and 15, 2020, DEQ staff conducted inspections of the ILA sites.
5. During the inspections, DEQ observed that land-disturbing activities occurred at the eight ILA sites in an area subject to stormwater runoff. DEQ did not have documentation of MMI having registered for coverage under the 2019 Permit, and no other certificate or permit was issued for the discharge of stormwater from construction activities at the ILA sites. MMI had not submitted a permit application to the VSMP authority and had not obtained VSMP authority approval to begin land disturbance. MMI provided the following estimated start dates for the sites in its February 26, 2021 weekly report: Campbell (December 18, 2019), Carroll (July 7, 2019), Fauquier (September 10, 2020), Floyd (June 1, 2019), Franklin (October 30, 2019), Giles (March 17, 2020), Madison (February 3, 2020), and Nelson (May 25, 2020).

Va. Code § 62.1-44.15:34 states: “A person shall not conduct any land-disturbing activity until he has submitted a permit application to the VSMP authority that includes a

state VSMP permit registration statement, if such statement is required, and, after July 1, 2014, a stormwater management plan or an executed agreement in lieu of a stormwater management plan, and has obtained VSMP authority approval to begin land disturbance.”

Va. Code §§ 62.1-44.15:24 and -44.15:34 define “land-disturbing activity” and describe regulated land-disturbing activities (including exemptions), respectively.”

6. During the inspection on September 22, 2020 at the Campbell County ILA, DEQ observed sediment tracking onto the paved public roadway, and observed that the construction entrance was not present at the time of the inspection.

9 VAC 25-840-40(17): “Where construction vehicle access routes intersect paved or public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a paved or public road surface, the road surface shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area...”

9 VAC 25-840-60(A) states in part: “All erosion and sediment control structures and systems shall be maintained, inspected and repaired as needed to insure continued performance of their intended function...”

7. During all of the inspections, DEQ observed that an approved stormwater management plan was not present at the sites and were not provided upon request. Subsequent file review and discussions with MMI and Office of Stormwater Management (OSWM) staff identified that no stormwater management plans had been prepared for the Sites.

9 VAC 25-870-54(A) states in part: “A stormwater pollution prevention plan shall include, but not be limited to, an approved erosion and sediment control plan, an approved stormwater management plan, a pollution prevention plan for regulated land-disturbing activities...”

9 VAC 25-870-54(C) states: “A stormwater management plan consistent with the requirements of the Virginia Stormwater Management Act and regulations must be designed and implemented during construction activities. Prior to land disturbance, this plan must be approved by the VSMP authority.”

8. During the October 1, 2, 14, and 15, 2020 inspections at the Floyd County, Franklin County, Giles County, and Fauquier County sites, DEQ observed temporary controls in place that were no longer needed and damaged controls in place that were no longer functional, below stabilized areas.

9 VAC 25-840-40(18) states: “All temporary erosion and sediment control measures shall be removed within 30 days after final site stabilization or after the temporary measures are no longer needed, unless otherwise authorized by the VESCP authority. Trapped sediment and the disturbed soil areas resulting from the disposition of temporary

measures shall be permanently stabilized to prevent further erosion and sedimentation.

9 VAC 25-870-54(B) states in part: "An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities."

9. During the September 22, 2020 and October 1, 2, and 14, 2020 inspections at the Campbell County, Floyd County, and Nelson County Sites, there were denuded areas observed that had been dormant for more than 14 days that were not stabilized or needed additional temporary or permanent stabilization measures applied.

9 VAC 25-840-40(1) states: "Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site. Temporary soil stabilization shall be applied within seven days to denuded areas that may not be at final grade but will remain dormant for longer than 14 days. Permanent stabilization shall be applied to areas that are to be left dormant for more than one year."

9 VAC 25-840-40(3) states: "A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized. Permanent vegetation shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive and will inhibit erosion."

9 VAC 25-870-54(B) states in part: "An erosion and sediment control plan consistent with the requirements of the Virginia Erosion and Sediment Control Law and regulations must be designed and implemented during construction activities."

10. On November 10, 2020, DEQ issued NOV No. 2020-BRRO-0001 to MMI for the observations listed above. MMI promptly responded to the NOV and a call was held on November 20, 2020. DEQ and MMI continued to have bi-weekly calls and MMI submitted weekly status updates to DEQ describing conditions at the sites and permit coverage progress.
11. The MMI Atlantic Coast Long Haul Fiber Optic Installation Project (Project) falls under annual standard and specifications (AS&S) and was required to be inspected following installation of ESC controls, at least once in every two-week period, or within 48 hours following any runoff producing storm event. MMI and Timmons, the AS&S program administrator, confirmed in calls with DEQ that these ESC inspections were not being conducted. Additionally, SWPPP inspections that would have been conducted under the 2019 Permit, were not being conducted from June 2019 to January 2021. MMI hired a third-party inspector to conduct the AS&S and SWPPP inspections beginning in January 2021.

9VAC25-840-60(B) states in part: "Periodic inspections are required on all projects by the VESCP authority. The VESCP authority shall either: 1. Provide for an inspection during or immediately following initial installation of erosion and sediment controls, at least once in every two-week period, within 48 hours following any runoff producing

storm event, and at the completion of the project prior to the release of any performance bonds; or 2. Establish an alternative inspection program...approved by the board..."

MMI Annual Standard and Spec 8.1 states in part: "As outlined in 9VAC25-840-60-B, periodic inspections are required by MMI on all projects meeting the land disturbance thresholds outlined under section 2.1.1 of this manual. MMI shall provide for an inspection during or immediately following initial installation of erosion and sediment controls, at least once every two weeks, within 48 hours following a runoff producing storm event, and at the completion of the project."

12. During the November 20, 2020 call, MMI stated that the stormwater management plans for the sites were under review and anticipated submitting a permit application by the end of 2020. Because the stormwater management plans were not designed prior to the land disturbance, MMI needed to purchase credits to address water quality. This proved more challenging than expected and MMI had multiple calls with DEQ to try to address this issue. The stormwater management plans for all of the ILAs except the Carroll ILA were approved on March 4, 2021. MMI was unable to purchase nutrient credits for the Carroll ILA site because there were no available credits. MMI will purchase property from a nearby landowner and use conserved forest open space to meet quality requirements. Ultimately, DEQ decided that MMI needed to apply for six separate permits due to the nutrient credit purchases and DEQ's database system that processes permits.
13. Ledcor Technical Services (LTS) is the entity applying for permit coverage for the ILAs and LTS submitted its permit applications for coverage under the 2019 Permit for the first five permits, covering all of the ILA sites except the Carroll ILA, on March 24, 2021. On March 25, 2021, DEQ informed LTS that the registration statements were incomplete. On March 26, 2021, LTS submitted revised registration statements.
14. On July 9, 2021, LTS received permit coverage for seven of the ILA sites and was assigned registration numbers VAR10P489 (Madison), VAR10P491 (Giles and Floyd), VAR10P494 (Nelson and Campbell), VAR10P495 (Franklin) and VAR10P496 (Fauquier).
15. On June 7 and 8, 2021, DEQ conducted inspections of the Nelson, Campbell, Franklin, and Floyd ILA sites and observed that the erosion and sediment control violations listed above have been corrected. DEQ also received inspection reports from MMI, which demonstrated that the erosion and sediment control violations listed above at the Giles and Fauquier ILA sites have been corrected.
16. At the time of the September 22, 2020 and October 1, 2, 14, and 15, 2020 inspections, the Department had not issued coverage under any permit or certificate to MMI.
17. Based on the results of the September 22, 2020 and October 1, 2, 14, and 15, 2020 inspections, DEQ file review, document submissions by MMI, and conversations with MMI, the Board concludes that MMI violated Va. Code § 62.1-44.15:34, 9 VAC 25-840-40(1), 9 VAC 25-840-40(3), 9 VAC 25-840-40(17), 9 VAC 25-840-40(18), 9VAC 25-

840-60(A), 9 VAC 25-840-60(B), 9 VAC 25-870-54(B), 9 VAC 25-870-54(A), 9 VAC 25-870-54(C) and MMI annual standard and specification 8.1, as described in paragraphs C(5-9) and (11) of this Order.

18. In order for MMI to complete its return to compliance, DEQ staff and representatives of MMI have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, 62.1-44.15:25, and 62.1-44.15:48, the Board orders MMI and MMI agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of \$46,229.38 within 30 days of the effective date of the Order in settlement of the violations cited by the Board in this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

MMI shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Stormwater Management Fund. If the Department has to refer collection of moneys due under this Order to the Department of Law, MMI shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of MMI for good cause shown by MMI, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 et seq., after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified by the Board in Section C of this Order and in NOV No. 2020-BRRO-001 dated November 10, 2020. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the ILA sites; or (3) taking subsequent action to enforce the Order.

3. For purposes of this Order and subsequent actions with respect to this Order only, MMI admits the jurisdictional allegations, and agrees not to contest, but neither admits nor denies, the findings of fact and conclusions of law contained in this Order.
4. MMI consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. MMI declares it has received fair and due process under the Administrative Process Act and the State Water Control Law, and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by MMI to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. MMI shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. MMI shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. MMI shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
 - d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will

result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and MMI. Nevertheless, MMI agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after MMI has completed all of the requirements of the Order;
 - b. MMI petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to MMI.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve MMI from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by MMI and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of MMI certifies that he or she is a responsible official or officer authorized to enter into the terms and conditions of this Order and to execute and legally bind MMI to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of MMI.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
15. By its signature below, MMI voluntarily agrees to the issuance of this Order.

And it is so ORDERED this _____ day of _____, 2021.

Tiffany R. Severs, Director of Enforcement
Department of Environmental Quality

Middle Mile Infrastructure, LLC voluntarily agrees to the issuance of this Order.

Date: July 13 By: [Signature], Authorized Representative
(Person) (Title)
Middle Mile Infrastructure, LLC

Commonwealth of Washington
~~City~~/County of King

The foregoing document was signed and acknowledged before me this 13 day of

July, 2021, by Bsh Depree who is

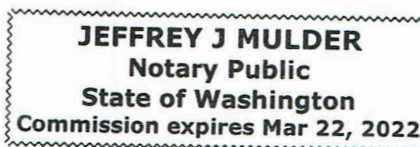
Authorized Rep. of Middle Mile Infrastructure, LLC, on behalf of the
company.

[Signature]
Notary Public

NA
Registration No.

My commission expires: 3/22/22

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

1. By November 30, 2021, MMI shall submit to DEQ a permit application, including a registration statement, fee, and annual standards and specifications entity form, for coverage under the 2019 Permit and a copy of the approved stormwater management plan for the Carroll ILA.
2. MMI shall respond to DEQ comments and questions relating to the permit application or approved stormwater management plan within 14 days and undertake all commercially reasonable efforts to obtain coverage under the 2019 Permit from DEQ for the Carroll ILA by January 31, 2022.
3. **DEQ Contact**

Unless otherwise specified in this Order, MMI shall submit all requirements of Appendix A of this Order to:

Kristen Sadtler
Water Enforcement Manager
VA DEQ – Central Office
1111 East Main St
Suite 1400
Richmond, VA 23219
804-698-4149
Kristen.sadtler@deq.virginia.gov